

Proposed Rule Amendments:

§329.6. Licensure by Endorsement & §329.7. Exemptions from Licensure

Summary of Amendment: The amendment is proposed in order to authorize a military spouse to engage in the practice of physical therapy without obtaining a license as a physical therapist or physical therapist assistant if the spouse is currently licensed in good standing by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the licensure in this state and the military service member to whom the military spouse is married is stationed at a military installation in this state. The requirements for the licensee to provide a list of the jurisdictions in which a license is or has been held, and for the licensee to comply with the laws and regulations of physical therapy are added to apply to all categories of licensure exemption in this section.

<rule>

§329.6. Licensure by Endorsement.

(a) - (b) (No change.)

(c) Licensure of a Military Service Member, Military Veteran, or Military Spouse. The board will waive the application fee and will expedite the issuance of a license by endorsement to a military service member, military veteran, or spouse of a military service member. The applicant must provide official documentation of active duty status or veteran status or the active duty status of the spouse.

(1) A military spouse may qualify to practice in this state under the exemption described in §329.7(b)(5) Exemptions from Licensure if the military service member to whom a military spouse is married is stationed at a military installation in this state.

(2) A military spouse or veteran may qualify to practice in this state under a Compact privilege as described in CHAPTER 348. PHYSICAL THERAPY LICENSURE COMPACT.

(d) (No change.)

<rule>

§329.7. Exemptions from Licensure.

(a) (No change.)

(b) The following categories of individuals practicing physical therapy in the state are exempt from licensure by the board and must notify the board of their intent to practice in the state.

(1) A physical therapist who is licensed in good standing in another jurisdiction of the US if the person is engaging, for not more than 90 days in a 12 month period and under the supervision of a physical therapist licensed in this state, in a special project or clinic required for completion of a post-professional degree in physical therapy from an accredited college or university.

(A) The individual must submit written notification stating the following:

(i) the beginning and ending dates of the period of practice;

(ii) the name of the institution or facility in which the individual will be practicing, ~~and~~

(iii) the name of the supervising physical therapist, and [-]

(iv) a list of the jurisdictions in which the individual has held or currently holds a license.

(B) Written notification must be received by the board prior to the start date of the practice.

(2) A physical therapist or a physical therapist assistant who is licensed in good standing in another jurisdiction of the US or authorized to practice physical therapy without restriction in another country if the person is engaging in patient contact and treatment as either an instructor or participant while attending an educational seminar or activity in this state for not more than 60 days in a 12 month period.

(A) The individual must submit written notification stating the following:

(i) the beginning and ending dates of the educational activity;

(ii) the name of the course or activity sponsor, ~~and~~

(iii) the location of the educational activity, and [-]

(iv) a list of the jurisdictions in which the individual has held or currently holds a license.

(B) Written notification must be received by the board prior to the start date of the educational activity.

(3) A physical therapist or physical therapist assistant licensed in good standing in another jurisdiction of the US who is practicing physical therapy for not more than 60 days during a declared local, state, or national disaster or emergency.

(A) The individual must submit written notification stating the following:

(i) the beginning and ending dates of the period of practice, ~~and~~

(ii) the name of the facility in which the individual will be practicing, and [-]

(iii) a list of the jurisdictions in which the individual has held or currently holds a license.

(B) Written notification must be received by the board prior to the start date of the practice.

(4) A physical therapist or physical therapist assistant licensed in good standing in another jurisdiction of the US who is displaced from the person's residence or place of employment due to a declared local, state, or national disaster and is practicing physical therapy in this state for not more than 60 days after the date the disaster is declared.

(A) The individual must submit written notification stating the following:

(i) the beginning and ending dates of the period of practice, ~~and~~

(ii) the name of the facility in which the individual will be practicing, and [-]

(iii) a list of the jurisdictions in which the individual has held or currently holds a license.

(B) Written notification must be received by the board prior to the start date of the practice.

(5) A physical therapist or physical therapist assistant licensed in good standing in another jurisdiction of the US who is a military spouse for the period during which the military service member to whom the military spouse is married is stationed at a military installation in Texas.

(A) The military spouse must submit written notification including the following:

(i) proof of the spouse's residency in this state,

(ii) a copy of the spouse's military identification card, and

(iii) a list of the jurisdictions in which the spouse has held or currently holds a license.

(B) The board will issue a written confirmation stating that:

- (i) licensure in other jurisdictions has been verified,
- (ii) the spouse is authorized to practice physical therapy in the state, and
- (iii) authorization does not exceed three years from the date the confirmation is received.

(c) For individuals exempt from licensure under (b), the following applies:

- (1) Any jurisdiction of the US that licenses physical therapists and physical therapist assistants is deemed to have substantially equivalent requirements for licensure,
- (2) Verification of licensure in other jurisdictions may be through online primary source verification, and
- (3) The individual must comply with all of the laws and regulations applicable to the provision of physical therapy in Texas.